

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HWA-CHAIN ROBERT WANG

Serial No.: 09/822,110

Filed: March 30, 2001

For: ANTIBODY COMPOSITIONS SPECIFIC
FOR p33^{QK} AND p63^{KRSI}
POLYPEPTIDES AND USES THEREOF

Group Art Unit: ~~Unknown~~ 1644

Examiner: Margaret Jamroz

Atty. Dkt. No.: 4350.000800

RESPONSE TO RESTRICTION REQUIREMENT DATED NOVEMBER 23, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile
transmitted to the Patents and Trademark Office, Washington
D.C., 20231, on the date below.

January 23, 2002

SIGNATURE

This paper is submitted in response to the Restriction Requirement dated November 23, 2001, for which the one-month date for response was December 23, 2001.

A request for a one-month extension of time to respond is included herewith. This one-month extension will bring the due date to January 23, 2002, which is within the six-month statutory period. Should such request be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4350.000800.

Following a telephone conference with Examiner Jamroz on December 4, 2001 with Applicant's undersigned representative, agreement was reached in principle to vacate the initial restriction requirement in part and consolidate the 18-way restriction into a 10-way restriction.

In response to this discussion and the original action dated November 23, 2001, Applicant hereby elect to prosecute without traverse the subject matter of the original Group III restriction, claims 1-12, 32-37, and 50-52. Applicant also elect to include within this group for initial examination claims 42-49 in part, composition claims comprising these peptides. Based on conversations with Examiner Jamroz, Applicant believes that these claims are properly combinable into the original Group III as indicated in the teleconference.

Furthermore, Applicant elect to begin prosecution of the merits with the election of species SEQ ID NO:5 with respect to these claims.

To facilitate expedited prosecution based upon this restriction requirement and species election, the Examiner is also requested to enter the accompanying Preliminary Amendment before examination begins on the merits. Consideration is respectfully requested. The Examiner is invited to contact the undersigned at (713) 934-4084 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

Date: January 23, 2002



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